

THURSDAY, APRIL 2, 1992

SEVENTY-NINTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. Don McCullough, First Assembly of God, Lewisburg, TN.

Representative Phillips led the House in the Pledge of Allegiance to the Flag.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Byrd; due to birth of new daughter.

Representative Garrett; due to illness.

Representative Purcell; due to illness.

ROLL CALL

The roll call was taken with the following results:

Present 92

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood -- 92.

REPORT OF COMMITTEE ON CALENDAR AND RULES
April 2, 1992

MR. SPEAKER: Your Calendar and Rules Committee reports that we

have met and set the following bills on the **Regular Calendar** for **Wednesday, April 8, 1992**: House Bill(s) No(s). 2126, 2231, 2229, 1669, 1677, 2376, 2081, 2764, 1936, 2385, 2423, 2107, 2647, 1656 and 2631.

We have also set the following bills on the **Regular Calendar** for **Thursday, April 9, 1992**: House Bill(s) No(s). 2400, 2402, 1412, 2720 and 2284; also, House Joint Resolution(s) No(s). 311.

We further report that we have met and set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **Monday, April 6, 1992**: House Bill(s) No(s). 2125, 1754, 2080, 2668, 2312, 2041, 2755, 2654, 2604, 1671, 2295 and 2395; also, House Joint Resolution(s) No(s). 569.

PHILLIPS, Chair.

REGULAR CALENDAR

House Bill No. 1266 -- Workers' Compensation -- Expands list of physicians to include those in state provider network. Amends TCA, Title 50, Ch. 6.

Further consideration of House Bill No. 1266, previously considered on April 8, 25 and May 9, 1991; February 20 and March 12, 1992, at which time it was reset to the Calendar for April 2, 1992.

Rep. West moved that **House Bill No. 1266** be re-referred to the Calendar and Rules Committee, which motion prevailed.

***House Bill No. 2612** -- Real Estate Agents and Brokers -- Permits real estate salesmen and brokers to be members of real estate appraisers commission; restricts appraisal from including evaluation of real property collateral or other document prepared to conform with regulatory requirements of financial institution. Amends TCA, Title 62, Ch. 39.

Further consideration of House Bill No. 2612, previously considered on March 25, 1992, at which time it was reset to the Calendar for April 2, 1992.

Rep. West moved that House Bill No. 2612 be reset to the Calendar for Wednesday, April 8, 1992, which motion prevailed.

House Bill No. 2291 -- County Government -- Removes exemption for owner occupied residences for use of weed control removal process and attachment of lien. Amends TCA 5-1-115.

Further consideration of House Bill No. 2291, previously considered on March 26, 1992, at which time Amendment No. 1 was adopted and the bill was reset to the Calendar for April 2, 1992.

Rep. Wood moved that House Bill No. 2291, as amended, be reset two weeks to the Calendar for April 16, 1992, which motion prevailed.

***House Bill No. 2050** -- Funeral Directors and Embalmers -- Revises certain fees for funeral directors and embalmers; revises authority of commissioner of commerce and insurance to regulate cemeteries. Amends TCA, Title 46; Title 62, Ch. 5, Pt. 4.

On motion, House Bill No. 2050 was made to conform with Senate Bill No. 1730.

On motion, **Senate Bill No. 1730**, on same subject, was substituted for House Bill No. 2050.

Rep. Rhinehart moved that **Senate Bill No. 1730** be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

Amend Senate Bill No. 1730 by adding at the end of Section 1 a new, appropriately designated subsection as follows:

() The commissioner shall, as authorized by Section 4-5-205, appoint an advisory board of experts in the field of cemetery operation and management service to advise him or her with respect to any contemplated rulemaking under this section. Such advisory board shall consist of one (1) member from each grand division of the state and two (2) members appointed at-large. Of the members initially appointed one (1) shall serve for one (1) year, one (1) for two (2) years, one (1) for three (3) years, one (1) for four (4) years and one (1) for five (5) years. Such advisory board may make formal recommendations to the commissioner or the general assembly. The advisory board shall annually elect from its members a chairman and necessary officers. Such advisory board members shall serve without compensation and travel expense. This advisory board shall be known as the Cemetery Advisory Board.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Rhinehart moved that **Senate Bill No. 1730**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	90
Noes.	1

Representatives voting aye were: Allen, Anderson, Armstrong,

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Arriola, Bell, Bittle, Bivens, Bragg, Buck, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hassell, Haun, Head, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 90.

Representatives voting no were: Harrill -- 1.

A motion to reconsider was tabled.

House Bill No. 1960 -- Taxes, Business -- Allows for deduction of payments made by contractors to subcontractors for rendering extermination services and installing personal property. Amends TCA 67-4-711.

On motion, House Bill No. 1960 was made to conform with Senate Bill No. 1656.

On motion, **Senate Bill No. 1656**, on same subject, was substituted for House Bill No. 1960.

Rep. Kisber moved that **Senate Bill No. 1656** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 1961 -- Taxes, Sales -- Expands tax exemption for chemicals and supplies used in pollution control from equipment and machinery to all pollution control purposes. Amends TCA 67-6-329.

On motion, House Bill No. 1961 was made to conform with Senate Bill No. 1651.

On motion, **Senate Bill No. 1651**, on same subject, was substituted for House Bill No. 1961.

Rep. Kisber moved that **Senate Bill No. 1651** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	88
Noes.	0
Present and not voting.	5

Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Kent, Kernell, King, Kisber, Knight, Liles, Love, McDaniel, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 88.

Representatives present and not voting were: Holcomb, Joyce McKee, Nuber, Williams (Union) -- 5.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from not voting to aye on Senate Bill No. 1651 and have this statement entered in the Journal.

Rep. Harry Tindell

REGULAR CALENDAR, CONTINUED

House Bill No. 1962 -- Taxes, Sales -- Allows sales tax exemption to apply to barges and railroad rolling stock used "principally," but not exclusively in interstate commerce. Amends TCA 67-6-321.

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On motion, House Bill No. 1962 was made to conform with Senate Bill No. 1657.

On motion, **Senate Bill No. 1657**, on same subject, was substituted for House Bill No. 1962.

Rep. Kisber moved that **Senate Bill No. 1657** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 1963 -- Taxes, Personal Property -- Excludes personal property leased by tax exempt institutions from inclusion in personal property tax base. Amends TCA 67-5-502.

On motion, House Bill No. 1963 was made to conform with Senate Bill No. 1652.

On motion, **Senate Bill No. 1652**, on same subject, was substituted for House Bill No. 1963.

Rep. Kisber moved that **Senate Bill No. 1652** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill,

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Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 1967 -- Taxes, Real Property -- Revises provisions of Greenbelt Law. Amends TCA, Title 67, Ch. 5, Pt. 10.

On motion, House Bill No. 1967 was made to conform with Senate Bill No. 1654.

On motion, **Senate Bill No. 1654**, on same subject, was substituted for House Bill No. 1967.

Rep. Kisber moved that **Senate Bill No. 1654** be passed on third and final consideration.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

Amend Senate Bill No. 1654 by adding the following as a new section immediately before Section 12, and by renumbering succeeding sections accordingly:

Section _____. Tennessee Code Annotated, Section 67-5-1008, is amended by adding a new subsection (e)(3) as follows:

(3) In the event that any land classified under this part as agricultural, forest, or open space land or any portion thereof is acquired by a bank, as defined in Tennessee Code Annotated, Section 45-2-107(a)(1)(A), or by a savings and loan association, as defined in Tennessee Code Annotated, Section 45-3-104(a)(1), in satisfaction or partial satisfaction of a debt previously contracted in good faith, such land or any portion thereof so acquired shall not be subject to roll-back taxes assessed against or payable by the bank or savings and loan association and shall be subject to roll-back taxes only after such land is sold by the bank or savings and loan association and then only as provided in subsection (d) hereof.

Rep. Bragg moved to amend as follows:

Amendment No. 1 to Amendment No. 1

AMEND Senate Bill No. 1654 by deleting the word "or" between the words and figures "Section 45-2-107(a)(1)(A)" and the words "by a savings and".

AND FURTHER AMEND by adding the words "or by a holder of a deed of trust or mortgage" between the words and figures "Section 45-3-104(a)(1)" and the words "in partial satisfaction".

AND FURTHER AMEND by adding the words "if the land is used for a non-green belt purpose or" between the words "subject to roll-back taxes only" and the words "after such land".

AND FURTHER AMEND by deleting the words "by the bank or savings and loan association" and by substituting instead the words "by the bank, savings and loan association or a holder of a deed of trust or mortgage".

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Rep. Bragg moved adoption of Amendment No. 1, as amended, which motion prevailed.

Rep. Callicott moved to amend as follows:

Amendment No. 2

Amend Senate Bill No. 1654 by adding the following new section immediately preceding the severability clause section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Title 67, Chapter 5, Part 10, is amended by adding the following new section:

SECTION _____. No provisions of this act shall be construed to change the classification of any land which was classified under the provisions of this part prior to the effective date of this act. The provisions of this part prior to the effective date of this act shall continue in effect and be applicable to such land so long as the owner of such land on the effective date of this act continues to be its owner. Upon transfer of such land to another owner, the provisions of this act shall apply.

Rep. Rhinehart moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes.	60
Noes.	30
Present and not voting.	1

Representatives voting aye were: Armstrong, Bell, Bivens, Bragg, Buck, Chumney, Clark, Cole, Collier, Copeland, Crain, Cross, Davidson, Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Haley, Hargrove, Hassell, Herron, Hillis, Holt, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, King, Kisber, Knight, Love, McAfee, Moore, Napier, Odom, Phillips, Pinion, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Tindell, Turner (Hamilton), Walley, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 60.

Representatives voting no were: Allen, Anderson, Arriola, Bittle, Callicott, Chiles, Curlee, Davis (Cocke), Gunnels, Halteman, Harrill, Haun, Head, Hill, Holcomb, Hubbard, Huskey, Jackson, Liles, McDaniel, Meyer, Niceley, Peroulas Draper, Pruitt, Sipes, Stamps, Tullos, Venable, West, Wix -- 30.

Representatives present and not voting were: Kernell -- 1.

Rep. Kisber moved that **Senate Bill No. 1654** be passed on third and final consideration.

Rep. Herron moved the previous question, which motion prevailed by the following vote:

Ayes.	69
Noes.	22

Representatives voting aye were: Allen, Anderson, Armstrong, Bell, Bittle, Bragg, Buck, Chumney, Clark, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Ferguson, Givens, Gunnels, Haley, Hassell, Haun, Herron, Hill, Hillis, Holt, Hubbard, Huskey, Jackson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, King, Kisber, Knight, Love, McAfee, McKee, Meyer, Moore, Niceley, Nuber, Odom, Phillips, Pinion, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Walley, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood -- 69.

Representatives voting no were: Arriola, Bivens, Callicott, Chiles, Cole, Duer, Fowlkes, Halteman, Hargrove, Harrill, Head, Holcomb, Kernell, Liles, McDaniel, Napier, Pruitt, Rigsby, Stamps, Venable, West, Whitson -- 22.

Thereupon, Rep. Kisber moved that **Senate Bill No. 1654**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes.	75
Noes.	15
Present and not voting.	3

Representatives voting aye were: Allen, Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Chumney, Clark, Coffey, Collier, Copeland, Crain, Cross, Davidson, Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kisber, Knight, Love, McAfee, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 75.

Representatives voting no were: Arriola, Callicott, Chiles, Davis (Cocke), Harrill, Haun, Head, Huskey, Kernell, Liles, McDaniel, Napier, Rigsby, Stamps, West -- 15.

Representatives present and not voting were: Cole, Curlee, Jackson -- 3.

A motion to reconsider was tabled.

House Bill No. 2355 -- Motor Vehicles -- Authorizes solid waste transporters to park on road as necessary to collect solid waste from customers. Amends TCA, Title 55, Ch. 8.

On motion, House Bill No. 2355 was made to conform with Senate Bill No. 2197.

On motion, **Senate Bill No. 2197**, on same subject, was substituted for House Bill No. 2355.

Rep. Buck moved that **Senate Bill No. 2197** be passed on third and final consideration.

Rep. Love moved that **State and Local Government Committee Amendment No. 1** be withdrawn, which motion prevailed.

On request of Rep. Buck, Senate Bill No. 2197 was moved to the heel of the Calendar.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker Pro Tempore.

REGULAR CALENDAR, CONTINUED

House Bill No. 2765 -- State Government -- Enacts "Open Appointments Act". Amends TCA, Title 10, Ch. 7.

Rep. Chumney moved that House Bill No. 2765 be reset to the Calendar for Thursday, April 9, 1992, which motion prevailed.

***House Bill No. 2502** -- Accountants -- Requires written express agreement between accountant and client that accountant's records in course of service to client not be personal property of accountant. Amends TCA, Title 62, Ch. 1, Pt. 1.

Rep. Bivens moved that House Bill No. 2502 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

Amend by deleting all of the language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 62-1-106, is amended by deleting from the first sentence of subsection (c) the word "professional" wherever it appears.

Tennessee Code Annotated, Section 62-1-106(c), is further amended by deleting the second sentence in its entirety.

SECTION 2. Tennessee Code Annotated, Section 62-1-111, is amended by deleting from paragraph (7) of subsection (a) the word "professional".

SECTION 3. Tennessee Code Annotated, Section 62-1-113, is amended by deleting from subsection (a) the word "professional".

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 2 as follows:

Amendment No. 2

Amend House Bill No. 2502 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 62-1-106, is amended by adding to subsection (d) the following new subdivision:

() Prohibit the use of a trade name that complies with regulations promulgated by the board, which regulations shall include prohibitions against:

(A) names implying the existence of a type of business organization other than the actual organizational type of the entity using the trade name;

(B) names implying qualitative distinctions or pricing differences;

(C) names implying a degree of experience or special expertise;

(D) names similar to or same as existing trade names;

(E) names implying licensure or certification of some designation other than certified public accountant or public accountant;

(F) names which tend to mislead regarding the nature of the business or the affiliation of the trade name user with another business or entity;

(G) names implying a grant of authority to practice public accountancy in a particular geographic location or indicating a limitation of practice to a particular geographic location; and

(H) an entity using more than one (1) trade name.

The board shall not disapprove of the use of any trade name unless it (i) falls within one (1) of the prohibitions listed in this subdivision, or (ii) it determines after notice and hearing that the trade name is deceptive.

The board shall not require the use of the names of partners or prior partners in a trade name.

On motion, Amendment No. 2 was adopted.

Rep. Allen moved to amend as follows:

Amendment No. 3

Amend House Bill No. 2502 by deleting from the section added by House Commerce Committee Amendment No. 2 subdivision (D) in its entirety and by substituting instead the following:

(D) names similar to or the same as existing trade names within the state of Tennessee;

On motion, Amendment No. 3 was adopted.

Thereupon, Rep. Bivens moved that House Bill No. 2502, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 2267 -- Housing -- Authorizes state to match local funds to deliver human resources without having specific allocation in General Appropriations Act. Amends TCA, Title 13, Ch. 26.

Rep. Herron moved that House Bill No. 2267 be reset one week to the Calendar for Thursday, April 9, 1992, which motion prevailed.

House Bill No. 2093 -- Real Property -- Terminates certain restrictive covenants when certain specified circumstances exist. Amends TCA, Titles 13, 66.

On motion, House Bill No. 2093 was made to conform with Senate Bill No. 2268.

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On motion, **Senate Bill No. 2268**, on same subject, was substituted for House Bill No. 2093.

Rep. Cross moved that **Senate Bill No. 2268** be passed on third and final consideration.

Rep. Love moved that **State and Local Government Committee Amendment No. 1** be withdrawn, which motion prevailed.

Rep. Cross moved that **Senate Bill No. 2268** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	78
Noes.	8
Present and not voting.	4

Representatives voting aye were: Allen, Anderson, Armstrong, Bell, Bittle, Bivens, Buck, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Hargrove, Harrill, Hassell, Haun, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Kent, Kernell, King, Kisber, Knight, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Peroulas Draper, Phillips, Pinion, Pruitt, Rhinehart, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 78.

Representatives voting no were: Arriola, Copeland, Davidson, Halteman, Joyce Liles, Stamps, West -- 8.

Representatives present and not voting were: Herron, Nuber, Rigbsy, Tullios -- 4.

A motion to reconsider was tabled.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1687** -- Taxes, Sales -- Releases successor owner of business from sales and use tax liability of original owner if original owner pays amount due or settles with state. Amends TCA, Title 67, Ch. 6, Pt. 5.

Rep. Walley moved that House Bill No. 1687 be passed on third and final consideration.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1687 by deleting all sections thereof and substituting instead the following:

Section 1. Tennessee Code Annotated, Section 67-6-513, is amended by adding the following new subsection:

() The commissioner of revenue shall make available at the offices of the register of deeds forms to be used to request information from the department concerning the tax liability of the seller of the business.

Section 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Walley moved that House Bill No. 1687, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Pinion, Pruitt, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

House Joint Resolution No. 0447 -- Naming and Designating -- Margaret B. Vaughn, Tennessee Poetess-Laureate.

Rep. Phillips moved that House Joint Resolution No. 447 be adopted.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Joint Resolution No. 447 by deleting the words "Tennessee Poetess Laureate" in the caption and the words "Tennessee's Poetess Laureate" in the first resolving clause and by substituting instead in each the words "Tennessee's Bard".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Phillips moved that **House Joint Resolution No. 447**, as amended, be adopted, which motion prevailed by the following vote:

Ayes.	90
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Callicott, Chiles, Chumney, Coffey, Cole, Collier, Crain, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 90.

Representatives present and not voting were: Armstrong -- 1.

A motion to reconsider was tabled.

***Senate Bill No. 2197 -- Motor Vehicles --** Authorizes solid waste transporters to park on road as necessary to collect solid waste from customers. Amends TCA, Title 55, Ch. 8.

Further consideration of Senate Bill No. 2197, considered earlier today, at which time Amendment No. 1, as amended, was adopted, and the bill was moved to the heel of the Calendar.

Rep. Buck moved passage of Senate Bill No. 2197, as amended, on third and final consideration.

Rep. Buck moved to amend as follows:

Amendment No. 2

The provisions of this act shall not preclude any claimant from pursuing his common law claim for recovery pursuant to common law negligence.

On motion, Amendment No. 2 was adopted.

Rep. Jackson moved to amend as follows:

Amendment No. 3

Amend Senate Bill No. 2197 by adding the following language at the end of the amendatory language of Section 2:

In addition to flashing hazard lights, such vehicles shall be required to maintain special lights visible from both the front and the rear indicating that the truck is stopped. The department of transportation is authorized to promulgate rules and regulations regarding special lighting required by this act.

Rep. Buck moved that Amendment No. 3 be tabled, which motion failed by the following vote:

Ayes.	37
Noes.	47
Present and not voting.	4

Representatives voting aye were: Arriola, Bell, Bivens, Clark, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), Davis (Knox), DeBerry, Ferguson, Hargrove, Hassell, Hillis, Holt, Jones, R (Shelby), Kent, King, Meyer, Moore, Odom, Phillips, Pinion, Rhinehart, Ridgeway, Rinks, Robinson (Hamilton), Turner (Hamilton), Turner (Shelby), Walley, West, Williams (Shelby), Wix, Mr. Speaker Naifeh -- 37.

Representatives voting no were: Allen, Anderson, Armstrong, Bittle, Bragg, Callicott, Chiles, Chumney, Coffey, Dixon, Duer, Givens, Gunnels, Haley, Halteman, Harrill, Haun, Herron, Hill, Holcomb, Hubbard, Huskey, Jackson, Joyce Kernell, Kisber, Liles, McAfee, McDaniel, McKee, Niceley, Nuber, Peroulas Draper, Pruitt, Rigsby, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Venable, Whitson, Williams (Union), Wood -- 47.

Representatives present and not voting were: Fowlkes, Love, Windle, Winningham -- 4.

Thereupon, Rep. Jackson renewed the motion to adopt Amendment No. 3, which motion prevailed.

Rep. Nuber moved to amend as follows:

Amendment No. 4

Amend Senate Bill No. 2197 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall also apply to any commercially licensed vehicle normally involved in delivery, including United States government vehicles.

Rep. Buck moved that Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes.	65
Noes.	17
Present and not voting.	7

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Ferguson, Fowlkes, Givens, Gunnels, Halteman, Hargrove, Harrill, Hassell, Herron, Hill, Hillis, Holt, Hubbard, Huskey, Joyce Kent, King, Kisber, Love, McAfee, McKee, Meyer, Odom, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Tindell, Turner (Shelby), Venable, Walley, West, Williams (Shelby), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 65.

Representatives voting no were: Bittle, Callicott, Chiles, Duer, Haley, Haun, Kernell, Liles, McDaniel, Niceley, Nuber, Peroulas Draper, Severance, Sipes, Stamps, Tullos, Wix -- 17.

Representatives present and not voting were: Holcomb, Jackson, Jones, R (Shelby), Knight, Moore, Whitson, Williams (Union) -- 7.

Rep. Buck moved to amend as follows:

Amendment No. 5

Amend Senate Bill No. 2197 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, Amendment No. 5 was adopted.

Thereupon, Rep. Buck moved that **Senate Bill No. 2197**, as amended, be passed on third and final consideration.

Rep. Rhinehart moved that the House reconsider its action in adopting Amendment No. 3.

Rep. Jackson moved to table the motion to reconsider, which motion prevailed by the following vote:

Ayes.	49
Noes.	37
Present and not voting.	3

Representatives voting aye were: Allen, Anderson, Bittle, Callicott, Chiles, Clark, Coffey, Davis (Cocke), Dixon, Duer, Givens, Gunnels, Haley, Halteman, Harrill, Herron, Hill, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kernell, Kisber, Knight, Liles, Love, McDaniel, McKee, Niceley, Nuber, Peroulas Draper, Phillips, Ridgeway, Rigsby, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tullos, Venable, Williams (Union), Wix, Wood -- 49.

Representatives voting no were: Armstrong, Arriola, Bell, Bivens, Chumney, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), Davis (Knox), DeBerry, Ferguson, Fowlkes, Hargrove, Hassell, Haun, Hillis, Kent, King, Meyer, Moore, Odom, Pruitt, Rhinehart, Rinks, Robinson (Hamilton), Tindell, Turner (Hamilton), Turner (Shelby), Walley, West, Whitson, Williams (Shelby), Windle, Mr. Speaker Naifeh -- 37.

Representatives present and not voting were: Bragg, Cole, Winningham -- 3.

Thereupon, Rep. Buck moved that **Senate Bill No. 2197**, as amended, be reset to the Calendar for Wednesday, April 8, 1992, which motion prevailed.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 0602** -- Aircraft and Airports -- Establishes guidelines for operation of tour helicopters. Amends TCA, Title 42, Ch. 1.

Senate Amendment No. 3

Amend House Bill No. 602 by deleting all the language of the bill following the caption and by substituting instead the following:

WHEREAS, the Great Smoky Mountains National Park is an invaluable natural resource for this state and for the

nation, containing scenery of breathtaking beauty and majesty and a great variety of scenic and ecologically important flora and fauna; and

WHEREAS, millions of people have visited the Great Smoky Mountains National Park to enjoy its natural beauty; and

WHEREAS, a tourism industry has grown in the Tennessee counties in which part of the Great Smoky Mountains National Park is located; and

WHEREAS, a large number of people have taken up residence in these counties to enjoy the natural scenery and to work in the tourism industry and other industries thriving in those areas; and

WHEREAS, because of this influx of people, a number of towns have grown into cities, creating the advantages and problems that arise with the growth of urban populations; and

WHEREAS, these counties and their citizens have invested great sums of money to provide lodging, restaurants and entertainment to attract the business of those people visiting the Great Smoky Mountains National Park; and

WHEREAS, the economies of these counties rely on income generated by the tourist industry; and

WHEREAS, the scenic beauty of the Great Smoky Mountain National Park has attracted a number of helicopter operations that carry tourists from heliports located on main roads near population centers in these counties to view the park from the air; and

WHEREAS, the use of this land for helicopter operations is inconsistent with the development of the tourist industry in those counties because the helicopters disturb the peace and quiet and interrupt the enjoyment of the area by most tourists; and

WHEREAS, the use of this land for helicopter operations is inconsistent with the residential development in those counties because the helicopters pose a safety hazard to residents in their homes and to motor vehicle operators on the area roads and highways, disturb the peace and quiet and interrupt the enjoyment of the area by residents in their homes and places of work, and interfere with the operation of schools, funeral ceremonies and other public events; and

WHEREAS, the counties in which the Great Smoky Mountains National Park is located experience a unique

problem with helicopter operations that carry tourists because the size and inaccessibility of the park encourages sightseeing by helicopter; and

WHEREAS, helicopter flights to and from health care institutions provide an important medical benefit for residents and visitors and can often mean the difference between life and death of a patient, so that the public benefit from such flights outweighs the problems of noise and safety; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 42, Chapter 1, is amended by adding the following sections as a new part.

SECTION 2. As used in this act, unless the context otherwise requires:

(1) "Heliport" means land from which helicopters take off and land. Heliport does not include heliports operated by a health care institution as defined in Section 68-11-102(5) or land on which a helicopter makes a landing required by an emergency; and

(2) "Tourist resort county" means a county having more than five percent (5%) of its territory located within the boundaries of a national park established pursuant to 16 USC 403.

SECTION 3.

(a) Land in a tourist resort county within ten (10) miles of the boundary of a national park established pursuant to 16 U.S.C. § 403 cannot be used as a heliport.

(b) The department of transportation shall not issue or renew licenses pursuant to chapter 2 of this title for any heliport located on land subject to the prohibition in subsection (a), except that licenses may be renewed for heliports allowed to continue to operate under Section 4 of this act.

SECTION 4. Notwithstanding the provisions of Section 13-7-208 or any other law to the contrary, a heliport operating as of the effective date of this act that is in violation of Section 3(a) is declared a public nuisance and shall be abated, removed or changed to conform with this act by July 1, 1994. Such heliports may continue to operate until that date provided:

(a) The heliport is not extended or expanded; and

(b) If the use of the land or any portion thereof as a heliport is discontinued for a period of six (6) months or changed, any future use of the land shall be in conformity with this act.

SECTION 5. Any heliport operated in violation of this part shall be deemed a public nuisance causing irreparable injury to the state, the county in which the heliport is located, municipalities located in that county and the residents of the county. In addition to any other remedies or rights of action possessed by any person or governmental unit, persons who reside on land subject to the prohibitions in this act shall have a private right of action against a person operating a heliport in violation of this act and shall have the right to seek injunctive relief as allowed by law, to recover damages for nuisance, and to recover costs and attorneys fees if the resident is the prevailing party.

SECTION 6. The provisions of this act shall not affect existing or future land use restrictions adopted by an incorporated city or town in a tourist resort county greater than those stated in this act.

SECTION 7. The provisions of this act shall not apply to any county which has county-wide zoning. If a county adopts county-wide zoning after the effective date of this act, then the provisions of this act shall not be applicable to such county.

SECTION 8. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 9. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Huskey moved that the House nonconcur in Senate Amendment(s) No(s). 3 to **House Bill No. 602**, which motion prevailed.

House Bill No. 0891 -- Corporations -- Enacts "Tennessee Professional Corporation Act". Amends TCA, Title 48, Ch. 3, Pt. 4.

Senate Amendment No. 1

AMEND **House Bill No. 891** in Section 1, Section 48-3-410(a)(2) by deleting language in the first two (2) sentences and substituting instead the following:

A professional corporation may only issue shares for

sale to persons not licensed to practice the profession in Tennessee if the licensing authority which licenses the professionals forming such corporations specifically authorizes the issuance of such shares. If permitted by the authority which licenses such professionals, and if such professionals form corporations, such corporations may issue such shares, fractional shares and rights or options to purchase shares only to:

AND FURTHER AMEND at Section 48-3-418 by deleting the present language and substituting instead:

If persons other than qualified persons are permitted by the licensing authority to serve as officers or directors, not less than one-half (1/2) of the directors of a professional corporation and all of its officers, except the secretary and assistant secretary, and treasurer (if any) and any assistant treasurer (if any), of any professional corporation shall be qualified persons with respect to the corporation.

Senate Amendment No. 3

AMEND House Bill No. 891 by deleting from the first sentence of subsection (a) of Section 48-3-413 of SECTION 1 the words and punctuation "or transfer," and substituting instead the words "transfer, retirement or termination of employment,".

FURTHER AMEND by deleting the word "or" from the end of subsection (a)(2) of Section 48-3-413 of SECTION 1 and by deleting the period "." at the end of subsection (a)(3) of Section 48-3-413 of SECTION 1 and substituting instead the punctuation and word "; or"

FURTHER AMEND by adding the following new subpart (4) to subsection (a) of Section 48-3-413 of SECTION 1:

(4) the shareholder retires, withdraws from or terminates employment with the professional corporation.

FURTHER AMEND by deleting the first sentence of subsection (a) of Section 48-3-414 of SECTION 1 and substituting instead the following:

If shares must be acquired under Section 48-3-413, the professional corporation shall deliver a written notice to the personal representative of the estate of its deceased shareholder, or to the disqualified person, the transferee, the retiree, or the shareholder terminating his employment with the corporation, offering to purchase the shares at a price the corporation believes represents their fair value as of the date of death, disqualification, transfer, retirement or termination.

FURTHER AMEND by deleting from subsection (d) of Section 48-3-415 of SECTION 1 the words "or transfer," and substituting instead the words and punctuation ",transfer, retirement or termination of employment".

FURTHER AMEND by deleting from Section 48-3-417 of SECTION 1 the words and punctuation "or transfer," and substituting instead the words and punctuation ",transfer, retirement or termination of employment,".

FURTHER AMEND by deleting subsection (a)(3) of Section 48-3-409 of SECTION 1 in its entirety.

FURTHER AMEND by deleting the punctuation and word "; and" from the end of subsection (a)(2) of Section 48-3-409 of SECTION 1 and substituting instead a period ".".

FURTHER AMEND by deleting the words "sale to others" in the first sentence of subsection (a)(2) of Section 48-3-410 of SECTION 1 and substituting instead the words "sale to other persons not licensed to practice such profession".

FURTHER AMEND by deleting subsection (b) of Section 48-3-411 of SECTION 1 and substituting instead the following:

(b) Within a reasonable time after the issuance or transfer of shares of a professional corporation that do not contain such statement, the corporation shall send the shareholders a written notice containing the statement required by subsection (a).

FURTHER AMEND by adding the following to the end of subsection (a) of Section 48-3-412 of SECTION 1:

Provided, however, nothing in this section shall be construed as prohibiting such a shareholder from pledging shares to a financial institution as collateral for a loan.

FURTHER AMEND by deleting the second sentence of subsection (a) of Section 48-3-422 of SECTION 1 and substituting instead the following:

An employee of a domestic or foreign professional corporation is not liable, however, for the conduct of other employees of the corporation unless he is also at fault.

FURTHER AMEND by deleting subpart (8) of Section 48-3-403 of SECTION 1 and substituting instead the following:

(8) "Qualified person" means an individual, general partnership or professional corporation to whom shares under this act may be issued.

FURTHER AMEND by deleting from subsection (b) of Section

48-3-404 of SECTION 1 the words "that is not repealed by" and substituting instead the words "whose charter has not been repealed by".

FURTHER AMEND by deleting from Section 48-3-435 of SECTION 1 the date "1991" wherever it appears and substituting instead the date "1993".

FURTHER AMEND by deleting from the second sentence of SECTION 3 the date "July 1, 1991" and substituting instead the date "July 1, 1993".

FURTHER AMEND by deleting Section 48-3-420 of SECTION 1 in its entirety and renumbering subsequent sections accordingly.

Rep. Williams (Shelby) moved that the House concur in Senate Amendment(s) No(s). 1 and 3 to **House Bill No. 891**, which motion prevailed by the following vote:

Ayes.	87
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Callicott, Chumney, Clark, Coffey, Cole, Copeland, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rigsby, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 87.

A motion to reconsider was tabled.

House Bill No. 1743 -- Drugs -- Changes anabolic steroids from controlled substance Schedule VIII to Schedule III. Amends TCA, Title 39, Ch. 17, Pt. 4.

Senate Amendment No. 2

Amend House Bill No. 1743 by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 39-17-417, is amended by adding the following to the end of subsection (d):

Notwithstanding any other provision of law to the contrary, a person charged for the first time with delivering an anabolic steroid or possessing an anabolic steroid with the intent to manufacture, deliver or sell such steroid shall be eligible for pretrial diversion pursuant to Tennessee Code Annotated, Title 40, Chapter 15, and probation pursuant to Tennessee Code Annotated, Section 40-35-313 and Tennessee Code Annotated, Title 40, Chapter 28.

Section _____. Tennessee Code Annotated, Section 39-17-417 is further amended by adding the following new subsection:

() The inference permitted by the first sentence of Tennessee Code Annotated, Section 39-17-419, shall not apply to a person charged under subsection (a)(4) of this section with possession of an anabolic steroid with intent to sell or deliver such steroid. Unless the state can prove that an actual sale or delivery occurred, such person may only be convicted of simple possession and punished as provided in Tennessee Code Annotated, Section 39-17-418.

Rep. Rhinehart moved that the House concur in Senate Amendment(s) No(s). 2 to House Bill No. 1743, which motion prevailed by the following vote:

Ayes.	85
Noes.	7
Present and not voting.	3

Representatives voting aye were: Allen, Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Fowlkes, Givens, Gunnels, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Wix, Wood, Mr. Speaker Naifeh -- 85.

Representatives voting no were: Arriola, Ferguson, Holcomb, Stamps, Williams (Union), Windle, Winningham -- 7.

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Representatives present and not voting were: Chumney, Haley, Liles -- 3.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from aye to no on the motion to concur in Senate Amendment No. 2 to House Bill No. 1743 and have this statement entered in the Journal.

Rep. Beth Halteman

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from aye to no on the motion to concur in Senate Amendment No. 2 to House Bill No. 1743 and have this statement entered in the Journal.

Rep. Ben West, Jr.

UNFINISHED BUSINESS

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to **Rule No. 59**, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Monday, April 6, 1992:

Senate Bill No. 1737: Rep. Huskey.

House Bill No. 1841: Rep. King.

House Bill No. 2467: Rep. Bivens.

RULES SUSPENDED

Rep. Walley moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 626 out of order, which motion prevailed.

House Joint Resolution No. 0626 -- Memorials, Sports -- Middleton High School boys' basketball team, TSSAA Class A state champion. by *Walley.

On motion, the rules were suspended for the immediate consideration of the resolution.

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On motion of Rep. Walley, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Hillis moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that all bills recommended out of subcommittees Tuesday can be heard by the Conservation and Environment Committee on Wednesday, April 8, 1992, which motion prevailed.

RULES SUSPENDED

Rep. Hillis moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that House Bill No. 2814 can be heard by the Conservation and Environment Committee on Wednesday, April 8, 1992, which motion prevailed.

RULES SUSPENDED

Rep. Dixon moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that House Bill No. 126 can be heard by the appropriate Health and Human Resources subcommittee on Tuesday, April 7, 1992, which motion prevailed.

RULES SUSPENDED

Rep. Holt moved to suspend **Rule No. 81(1)** so that bills may be put on notice up to 4:00 today in the State Government subcommittee of State and Local Government Committee, which motion prevailed.

BILL RECALLED

Rep. Buck moved that the rules be suspended so that House Bill No. 2018 be recalled from the Judiciary Committee and referred to the Consumer and Employees Affairs Committee, which motion prevailed.

ANNOUNCEMENTS

JOINT STUDY COMMITTEE REPORT FILED

The Joint Study Committee on Rising Health Care Costs, pursuant to Senate Joint Resolution No. 56 of 1991, has completed its work and submitted its final report, which is on file in the Clerk's office.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 311: Rep(s). Knight as prime sponsor(s).

House Bill No. 1000: Rep(s). Liles as prime sponsor(s).

House Bill No. 1266: Rep(s). Jackson as prime sponsor(s).

House Bill No. 1687: Rep(s). Knight as prime sponsor(s).

House Bill No. 1906: Rep(s). Knight and McDaniel as prime sponsor(s).

House Bill No. 2433: Rep(s). Fowlkes, Hubbard, Pruitt, Knight and Tullos as prime sponsor(s).

House Bill No. 2765: Rep(s). McDaniel as prime sponsor(s).

House Joint Resolution No. 447: Rep(s). Knight as prime sponsor(s).

SPONSORS WITHDRAWN

On motion, Rep. Sipes was removed as sponsor of **House Bill No. 2267**.

INTRODUCTION OF RESOLUTIONS

On motion, the resolution(s) listed was/were introduced and referred as noted:

House Joint Resolution No. 0620 -- Memorials, Sports -- Popeye Jones. by *Herron.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0621 -- Memorials, Personal Occasion -- Donald C. and Delois H. Ralph, 50th wedding anniversary. by *Haley.

Referred by the Speaker to the Calendar and Rules Committee.

***House Joint Resolution No. 0622** -- General Assembly, Studies -- Creates committee to study imposition of annual registration tax on certain freight motor vehicles. by *Crain.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0623 -- Memorials, Personal Occasion

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-- Joe Ernest Davis, 73rd Birthday. by *DeBerry.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0625 -- Memorials, Professional and Business Achievement -- Dr. Vernon Jarrett. by *Ridgeway, *Pruitt, *Love, *Jones R, *Turner L, *Dixon, *DeBerry, *Jones U, *Robinson C B, *Armstrong, King.

Referred by the Speaker to the Calendar and Rules Committee.

DELAYED BILLS REFERRED

Pursuant to **Rule No. 78**, having been prefiled for introduction, House Bill(s) No(s). 2834, 2835 and 2836 was/were referred to the Delayed Bills Committee.

House Bill No. 2834 -- Metropolitan Government -- Authorizes law enforcement officers to arrest for violations of metropolitan ordinances and courts to issue arrest warrants for violations of such ordinances. Amends TCA, Titles 7, 40. by *Purcell, *Love, *Pruitt, *West, *Clark, *Halteman, *Odum, *Arriola, *Chiles, *Robinson Robb.

***House Bill No. 2835** -- Custody and Support -- Permits duty of support to be established by filing of original support petition or original paternity petition under Uniform Reciprocal Enforcement of Support Act. Amends TCA 36-5-207. by *Purcell.

***House Bill No. 2836** -- Sunset Laws -- State funding board, June 30, 2000. Amends TCA, Title 4, Ch. 29; Title 9, Ch. 9. by *King, *Kernell, *Garrett.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 2832 -- Obion County -- Provides for county legislative body to establish road district zones. Amends Chapter 202, Private Acts of 1984. by *Pinion.

Passed first consideration.

House Bill No. 2833 -- Shelbyville -- Creates office of vice mayor to be appointed by city council from city council. Amends Chapter 754, Private Acts of 1947, as amended. by *Phillips.

Passed first consideration.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk as noted:

Senate Bill No. 0374 -- Hospitals and Health Care Facilities -- Restructures membership of board for licensing health care facilities. Amends TCA 68-11-203. (*HB 278)

Held pending third consideration of companion House Bill.

***Senate Bill No. 1692** -- Animals -- Authorizes Shelby County and municipalities located therein to regulate sale, ownership, keeping and destruction of cats and dogs. (HB 1938)

Held pending third consideration of companion House Bill.

Senate Bill No. 2090 -- Pensions and Retirement Benefits -- Allows state employee who is member or retired member of armed forces who participated in Persian Gulf War to receive retirement credit for such service. Amends TCA 8-34-605. (*HB 2031)

Held pending third consideration of companion House Bill.

***Senate Bill No. 2418** -- Taxes, Real Property -- Authorizes prior state and local review of property tax incentives for economic development to uniformly determine property tax liability of new investment prospects. (HB 2432)

Held pending third consideration of companion House Bill.

Senate Bill No. 2578 -- Insurance, Health, Accident -- Enacts "Tennessee Small Employer Group Health Coverage Reform Act". Amends TCA, Title 56. (*HB 2449)

Held pending third consideration of companion House Bill.

***Senate Bill No. 2619** -- Sunset Laws -- Four Lake industrial regional development authority, June 30, 2000. Amends TCA, Title 4, Ch. 29; Title 64, Ch. 5. (HB 2700)

Held pending third consideration of companion House Bill.

Senate Bill No. 2635 -- Teachers -- Authorizes local board of education to require teacher applicants to submit to background check to verify criminal offenses and to submit to fingerprint check; requires local boards to assume TBI costs for investigations. Amends TCA, Title 38, Ch. 6, Pt. 1; Title 49, Ch. 5. (*HB 2514)

Held pending third consideration of companion House Bill.

Senate Bill No. 2650 -- Water Resources -- Permits commissioner to deny permit to water treatment plant if plan submitted would interfere with countywide water service plan. Amends TCA, Title 69, Ch. 3. (*HB 2513)

THURSDAY, APRIL 2, 1992 -- SEVENTY-NINTH LEGISLATIVE DAY

Held pending third consideration of companion House Bill.

***Senate Bill No. 2678** -- Mines, Mining -- Removes from inclusion in regrading plans highwall elimination and spoil piles which no longer pose hazards to environment if demonstrated new technology methods approved by commissioner. Amends TCA 59-8-208. (HB 2586)

Held pending third consideration of companion House Bill.

Senate Bill No. 2753 -- Hazardous Materials -- Makes summary information concerning source reduction activities of waste generators public record. Amends TCA, Title 68, Ch. 46. (*HB 2634)

Held pending third consideration of companion House Bill.

Senate Bill No. 2812 -- Montgomery County -- Enacts adequate school facilities tax. (HB 2812)

Held pending third consideration of companion House Bill.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted:

House Bill No. 2824 -- Jonesborough -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2825 -- Lookout Mountain -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2826 -- Greenfield -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2828 -- Wilson County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2830 -- Naming and Designating -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

April 2, 1992

In accordance with **Rule No. 48**, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 2824, 2825, 2826, 2828 and 2830.

THURSDAY, APRIL 2, 1992 -- SEVENTY-NINTH LEGISLATIVE DAY

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
April 2, 1992**

MR. SPEAKER: The officers of your Calendar and Rules Committee report that we have set the following bill(s) and/or resolution(s) on the **Consent Calendar for Monday, April 6, 1992**: House Joint Resolution(s) No(s). 620, 621, 623 and 625; also, House Bill(s) No(s). 2824, 2825, 2826, 2828 and 2830.

PHILLIPS, Chair.

**MESSAGE FROM THE SENATE
April 2, 1992**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 429 and 432; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0429 -- Memorials, Death -- Esther Louise Miller of Memphis. by *Ford, et al.

Senate Joint Resolution No. 0432 -- Memorials, Interns -- Christine Ragan. by *Atchley.

**MESSAGE FROM THE SENATE
April 2, 1992**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 513, 581, 585, 586, 591, 594, 595 and 600; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
April 2, 1992**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1662, 2190, 2246 and 2702; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
April 2, 1992**

MR. SPEAKER: I am directed to transmit to the House, Senate

THURSDAY, APRIL 2, 1992 -- SEVENTY-NINTH LEGISLATIVE DAY

Bill(s) No(s). 2448 and 2621; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

April 2, 1992

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 1798, 2141, 2344, 2692, 2693, 2694, 2705 and 2811; also, House Resolution(s) No(s). 173, 174, 176, 177 and 178; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED

April 2, 1992

The Speaker announced that he had signed the following: House Bill(s) No(s). 1798, 2141, 2344, 2692, 2693, 2694, 2705 and 2811; also, House Resolution(s) No(s). 173, 174, 176, 177 and 178.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS

April 2, 1992

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1687 and 2502; also, House Joint Resolution(s) No(s). 447 and 626; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED

April 2, 1992

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 2448 and 2621.

MESSAGE FROM THE SENATE

April 2, 1992

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 395, 415, 419, 420, 425, 426 and 438;

adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Joint Resolution No. 0395** -- Naming and Designating -- "Marilyn Lloyd Aviation Center," National Guard Aviation Facility in Chattanooga. by *Albright, *Crutchfield.

Senate Joint Resolution No. 0415 -- Memorials, Retirement -- Erma Weakley, Cheatham County Sheriff's office. by *Haynes.

Senate Joint Resolution No. 0419 -- Memorials, Sports -- Christian Brothers High School cheerleading squad. by *Cohen, Person, Dunavant, Kyle.

Senate Joint Resolution No. 0420 -- Memorials, Public Service -- Contact USA, 25th anniversary. by *McNally, Cooper.

Senate Joint Resolution No. 0425 -- Memorials, Retirement -- Geneva Taubert Smith. by *Atchley.

Senate Joint Resolution No. 0426 -- Memorials, Retirement -- Deputy Chief Carl A. Levi. by *Albright, *Crutchfield.

Senate Joint Resolution No. 0438 -- Memorials, Sports -- East Tennessee State University men's basketball team. by *Crowe, *Greer, *Montgomery, *Lawson.

MESSAGE FROM THE SENATE
April 2, 1992

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1687, 1752, 1784, 1785, 1811, 2333, 2535, 2553, 2584, 2609 and 2648; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Bill No. 1687 -- Financial Disclosure -- Requires person or organization and person heading such organization to be identified as purchaser of political communication expressly advocating a political position. Amends TCA, Title 2, Ch. 19, Pt. 1. by *Womack, McKnight.

Senate Bill No. 1752 -- County Officers -- Authorizes optional checking system for trustees. Amends TCA, Title 5, Ch. 8, Pt. 2. by *Rochelle.

***Senate Bill No. 1784** -- Taxes, Real Property -- Equalizes charges imposed for redeeming property sold at tax sale on property owner and nonowner by increasing fees for nonowners. Amends TCA 67-5-2703. by *Rochelle.

THURSDAY, APRIL 2, 1992 -- SEVENTY-NINTH LEGISLATIVE DAY

***Senate Bill No. 1785** -- County Officers -- Streamlines trustee reporting requirements. Amends TCA, Titles 5, 8, 67. by *Rochelle, McKnight.

***Senate Bill No. 1811** -- Public Officials -- Requires clerk to notify comptroller's office and county executive of election to charge flat fee in certain criminal cases. Amends TCA 8-21-401. by *Rochelle.

Senate Bill No. 2333 -- County Government -- Terminates county manager form of government. Amends TCA, Title 5, Ch. 15. by *Lawson, *Greer, Cohen, Crowe.

***Senate Bill No. 2535** -- Environmental Preservation -- Clarifies organizational responsibilities of departments of environment and conservation, health, agriculture and state planning office relative to environmental programs. Amends TCA, Title 4, Ch. 3, Pt. 5; Title 4, Ch. 31; Title 5, Ch. 19; Title 7, Chs. 54, 58, 82; Title 11, Chs. 1, 4, 11, 42-4-117, 43-8-102, 43-14-218; Title 44, Ch. 18; Title 54, Ch. 17, Pt. 1; Title 59, Chs. 8, 10; Title 60, Ch. 1, Pts. 1, 2; Title 69, Chs. 7, 10--12. by *Darnell, McKnight.

***Senate Bill No. 2553** -- Public Service Commission -- Requires candidates to be qualified voters in grand division from which seek election. Amends TCA 65-1-102. by *Springer.

***Senate Bill No. 2584** -- Financial Disclosure -- Changes reporting date to December 31 for campaign financial reports due in December; changes filing date for such reports to January 31. Amends TCA, Title 2, Ch. 10, Pt. 1. by *Lawson.

Senate Bill No. 2609 -- Civil Service -- Requires nondepartmental state service be counted on a year for one year basis, instead of one-half to one year basis to determine order of civil service layoffs; removes time limit that position in career service shall not be considered because position abolished. Amends TCA 8-30-320. by *Womack, Harper.

***Senate Bill No. 2648** -- Recreational Areas -- Allows municipalities to fund municipal recreational systems from general revenues of municipality, user fees, or other lawful services, as well as from property taxes. Amends TCA 11-24-108, 109. by *Haynes.

MESSAGE FROM THE SENATE
April 2, 1992

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 624; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 2, 1992

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2594; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 2, 1992

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 302.

The Senate nonconcurred in House Amendment(s) No(s). 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 95

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Callicott, Chiles, Chumney, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

On motion of Rep. Bell, the House recessed until 4:00 p.m., Monday, April 6, 1992.